

date of the Verzard Publication, for purposes of the Declaration the Verzard Filing Date. The Declaration presents facts, which in character and weight, establish a reduction to practice in the United States prior to the Verzard Filing Date, thereby removing the Verzard Publication as a reference.

Based on the removal of the primary reference, the remaining secondary reference to Jenny has not been interpreted, and cannot be interpreted, as a sole reference for rejection of the claims. Thus, Applicant submits that upon acceptance of the Declaration, claims 1 through 12 are allowable.

Dated: September 22, 2005

Respectfully submitted,

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A handwritten signature in cursive script, reading "Peter D. Sachtjen".

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